

1771-SUP

PUBLIC HEARING Case 1771-SUP/Meso Maya. Public hearing, discussion, and take action on a recommendation regarding an ordinance changing the zoning on property located at 5280 Belt Line Road, which property is currently zoned LR, Local Retail, by amending the existing Special Use Permit (Ordinance O16-042) to allow the use of terms or graphic depictions relating to alcoholic beverages in exterior signage.

LOCATION MAP





January 10, 2018

STAFF REPORT

RE: Case 1771-SUP/Meso Maya

LOCATION: 5280 Belt Line Road

REQUEST: Approval of an amendment to an existing Special Use Permit to allow the use of terms or graphic depictions relating to alcoholic beverages in exterior signage

APPLICANT: Jill Boyd, Meso Maya II LLC

DISCUSSION:

Background: This is a 1.104 acre site located at the southwest corner of Belt Line Road and Montfort Drive. The site went through the rezoning process in 2016 and a Special Use Permit was approved for a new restaurant and for the sale of alcoholic beverages for on premise consumption only. The Special Use Permit through Ordinance O16-042, carried the typical condition for restaurant ordinances in the Town of Addison, restricting the use of any terms or graphic depictions that relate to alcoholic beverages in any exterior signage.

The proposed new restaurant space, Meso Maya, has since been undergoing renovations and is almost ready to open for business. However, when the applicant's sign contractor submitted the exterior sign permit application for Meso Maya Comida y Copas, it was rejected because it contained the word "copas."

Current Request: Meso Maya is returning with a request to allow the use of the restaurant chain's tag line "comida y copas." In order to allow the use of terms or graphic depictions relating to alcoholic beverages in exterior signage, the applicant is proposing to amend the existing Special Use Permit, Ordinance O16-042, by removing Section 3(i):

The establishment shall not use the term "bar", "tavern", or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.

The explanation provided by the applicant states that the phrase “comida y copas” is part of the Meso Maya brand and trademarked logo, which focuses on the MesoAmerican culinary heritage, with the intent to promote food sales not alcohol sales. The applicant also submitted their Brand Story about Meso Maya Comida y Copas reflecting the brand’s focus on promoting the MesoAmerican culinary heritage. The applicant argues that implication and connection to alcohol is over-reaching.

Staff looked at Oxford Dictionaries, Word Reference, SpanishDict, Collins English-Spanish Dictionary, Cambridge Spanish-English Dictionary, and Linguee for the translation of the word “copas.” In accordance with the sources referenced above, the literal translation of the word “copas” mean cups, drinks, glasses, or goblets. When the phrase “comida y copas” is translated as a whole, it translates to “food and drinks.” Furthermore, “copas” is used commonly by Spanish speakers colloquially to mean alcoholic beverages.

The P&Z and Council have, on other occasions, allowed alcoholic beverage terms in exterior signs. Brew-pub restaurants have been allowed to have the term “brewery” on their exterior signs, On the Border was allowed to keep the term “cantina” on its exterior sign, and more recently Vernon’s Gastropub was allowed to amend their Special Use Permit to remove such restriction, with the reasoning being a genuine attempt to improve the overall quality of the business.

RECOMMENDATION: **DENIAL**

This provision has been a practice of the Town since alcohol sales were originally approved in the 1970s. The Planning and Zoning Commission reviewed this policy in 2011 and instructed staff to continue prohibiting this type of language in exterior signage for restaurants. Based on past decisions and guidance from administration, Staff believes that in this context, the full phrase “comida y copas” implies alcoholic beverages. Staff recommends denial of the applicant’s request to amend Special Use Permit Ordinance O16-042, Section 3(i) in order to delete a special condition prohibiting the use of any terms (such as “bar”, “tavern”, etc.) or graphic depictions which relate to alcoholic beverages in any exterior signs.